

1 Rene L. Valladares
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 *Amelia L. Bizzaro
5 Assistant Federal Public Defender
6 Wisconsin State Bar No. 1045709
7 411 E. Bonneville Ave., Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577
10 Amelia_Bizzaro@fd.org

11 *Attorney for Petitioner Leonard McCaskill

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Leonard McCaskill,
15 Petitioner,
16 v.

17 Isidro Baca, *et al.*,
18 Respondents.

Case No. 3:17-cv-00305-RCJ-WGC

**Order Granting Motion to Voluntarily
Dismiss Case (ECF No. 41)**

1 **POINTS AND AUTHORITIES**

2 Petitioner Leonard McCaskill seeks to voluntarily dismiss his case because
3 the Nevada Board of Pardons commuted his sentence to time served and ordered
4 him released.

5 Warden Isidro Baca timely filed his Answer to Leonard's First Amended
6 Petition following litigation of a motion to dismiss on October 5, 2020.¹ Leonard's
7 reply is due May 19, 2021, following his prior requests to extend this deadline.²

8 Leonard was diagnosed on October 26, 2020, with Stage IV poorly
9 differentiated neuroendocrine carcinoma of the prostate with metastasis to his
10 lungs, liver, left adrenal and pelvis. Leonard sought a commutation of his sentence
11 so that he may be released to live with his aunt in Arizona during his final days. On
12 March 23, 2021, the Board granted his request, and commuted his sentence to time
13 served.

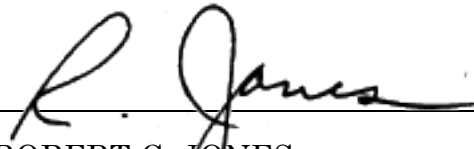
14 With the commutation of his sentence, Leonard no longer wishes to pursue
15 habeas relief and is no longer in state custody. In support, he provides the attached
16 Declaration. Accordingly, Leonard respectfully asks this Court to dismiss his case.

17 **ORDER**

18 **IT IS HEREBY ORDERED** that the Motion to Voluntarily Dismiss
19 **Case (ECF No. 41) is GRANTED.**

20 **IT IS FURTHER ORDERED** that the Clerk of the Court shall close
21 **the case.**

22 **IT IS SO ORDERED.**

23 
24 ROBERT C. JONES
25 United States District Judge
26 Dated: April 29, 2021
27